

October 19, 2016

Vahan Atabekyan
466 Vine Street
Glendale, CA 91204

**RE: 410 WEST COLORADO STREET
ADMINISTRATIVE EXCEPTION CASE NO. PAE 1621925**

Dear Mr. Atabekyan:

Pursuant to the provisions of the Glendale Municipal Code, Chapter 30.44.020 (F) for a maximum three space reduction in the number of total parking spaces required in conjunction with a change of commercial use in an existing building in this Title, the Community Development Department has processed your application for an Administrative Exception to allow the change in use from retail to dental offices without providing the required number of parking spaces on-site. As proposed, 10 parking spaces are existing where a total of 12 parking spaces are required by Chapter 30.32.050 of the Glendale Municipal Code. The subject site is located at **410 West Colorado Street**, in the "SFMU" - (Commercial/Residential Mixed Use) Zone, described as Lot 3, Block N, Glendale Valley View Tract.

ENVIRONMENTAL RECOMMENDATION

This project is exempt from environmental review as a Class 1 "Existing Facility" (Section 15301(e) (1) of the State CEQA Guidelines).

REQUIRED/MANDATED FINDINGS

After considering the evidence presented with respect to this application, the plans submitted therewith, the Planning Hearing Officer has **GRANTED WITH CONDITIONS** your application based on the following findings:

- A. The granting of the exception will result in design improvements, or there are space restrictions on the site that preclude full compliance with the Code requirements without hardship.**

The subject site consists of one lot totaling 6,250 square feet. The 410 West Colorado Street property is developed with a 2,344 square-foot commercial building built in 1952. The applicant is proposing to change the use from retail to a dental office with ten on-site parking spaces. The site has other commercial developments

to the west and residential development to the south and east which precludes the possibility of adding additional parking spaces to the subject property.

This site is located in the San Fernando Road Corridor Redevelopment Project Area. The primary goal of the former Redevelopment Agency's project area plan was to remove blight. This goal remains a vital economic development goal for the City. The redevelopment plan called for a mix of uses in the project area and the prevention of the re-introduction of blighting influences in the project area. The area surrounding the site along Colorado Street is home to a variety of commercial uses including the Glendale Galleria Mall across the street to the east. The site is located near the southwest corner of West Colorado and Columbus Streets, which is a prominent and heavily traveled intersection in the City's redevelopment area. As such, this corner needs to be revitalized given its close proximity to the Glendale Galleria and other Downtown Glendale attractions. The proposed project's goal is to revitalize the building by introducing a new business to the building since it has been vacant for over one and half years.

B. The granting of the exception will not be materially detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located.

The proposed change in use from retail to a dental office in the existing building with 10 on-grade parking spaces on-site will not be detrimental to the public welfare, injurious to the property, or improvements in the zone. The area surrounding the site to the east, west and north of Colorado Street are developed a mix of commercial and residential uses including an existing multi-level parking structure for the Glendale Galleria across the street, northeast of the site. As proposed, the project requires 12 parking spaces to serve the new proposed use in the building. The project will provide 10 parking spaces, which results in a two-space parking shortfall.

Through the Administrative Exception process, the Zoning Code allows a maximum three parking space deviation for a change in use. However, the applicant is requesting a two space reduction of the required 12 parking spaces. The parking shortfall of two spaces will not negatively impact surrounding uses or exacerbate the existing parking conditions in the area. Based on the nature of the proposed business, a dental office, typically, this type of use has frequent turnover. Thus, it is not expected that the proposed office uses will occupy all 10 spaces at the same time. In a worst case scenario, if all 10 spaces were occupied, the two-space parking shortfall could be accommodated on the street.

C. The granting of the exception will not be contrary to the objectives of the applicable regulations.

The proposed dental office use is a permitted use as shown in the Zoning Code. There is no added floor area proposed, just an interior remodel. The purpose of the administrative exception procedure is to provide a simplified means for considering applications for minor deviations from Code standards. These standards have been developed to allow reasonable use of properties in order to promote the public health, safety, and general welfare. The proposed shortfall of two parking spaces will allow reasonable development of the site that will meet all other zoning regulations with 10 on-site parking spaces to serve the use. This site is located in

the San Fernando Road Corridor Redevelopment Project Area. As previously stated, the primary goal of the former Redevelopment Agency's project area plan was to remove blight. This goal remains a vital economic development goal for the City. The redevelopment plan called for a mix of uses in the project area and the prevention of the re-introduction of blighting influences in the project area. Therefore, granting the minor exception to allow a two-space parking shortfall where 12 parking spaces are required will not be contrary to the objectives of the applicable regulations.

The project is located in the SFMU Zone which allows for the introduction of a mix of commercial residential uses, or stand alone commercial, industrial and residential uses. The intent of this zoning is to allow for a range of uses to provide appropriate transition and greater compatibility with adjacent residential neighborhoods. The proposed dental office would contribute to the diversity of uses in this part of the San Fernando Road Corridor area, thereby meeting the intent of the Zoning Code. The objective of the parking regulations in the Zoning Code is to assure adequate on-site parking so as to not impact neighbors. While the proposed use will have a two space shortfall, the shortfall is anticipated to be met and accommodated on-site based on the nature of the business and its hours of operations.

The proposed dental office is a specialized office such that they only perform endodontics (root canals) which is done by appointment only. Per the applicant, there are two doctors, four staff members and two patients that would be on site at any one time (for a total of 8 people). Thus, the need to accommodate the two-space parking shortfall is highly unlikely.

CONDITIONS OF APPROVAL

APPROVAL of this Administrative Exception shall be subject to the following conditions:

1. That the development shall be in substantial accord with the plans submitted with the application except for any modifications as may be required to meet specific Code standards or other conditions stipulated herein to the satisfaction of the Hearing Officer.
2. That all necessary permits shall be obtained from the Building and Safety Division and all construction shall be in compliance with the Glendale Building Code and all other applicable regulations.
3. That design review approval or exemption shall be obtained prior to the issuance of a building permit.
4. That a Business Registration Certificate be applied for and obtained.
5. That any expansion or modification of the uses, floor area, parking, etc., which is different than what is represented as part of this Administrative Exception application, shall require a new application as determined by the Hearing Officer.

APPEAL PERIOD

The applicant's attention is called to the fact that this grant is not a permit or license and that any permits and licenses required by law must be obtained from the proper City and public agency.

Under the provisions of the Glendale Municipal Code, Title 30, Chapter 30.62, any person affected by the above decision has the right to appeal said decision to the Planning Commission if it is believed that the decision is in error or that procedural errors have occurred, or if there is substantial new evidence which could not have been reasonably presented. It is strongly advised that appeals be filed early during the appeal period and in person so that imperfections/incompleteness may be corrected before the appeal period expires. Any appeal must be filed on the prescribed forms within fifteen (15) days following the actual date of the decision. Information regarding appeals and appeal forms will be provided by the Permit Services Center (PSC) or the Community Development Department (CDD) upon request and must be filed with the prescribed fee prior to expiration of the 15-day period, on or before **November 3, 2016** at the Permit Services Center (PSC), 633 East Broadway, Room 101, Monday thru Friday 7:00 a.m. to 12:00 p.m., or at the Community Development Department (CDD), 633 East Broadway, Room 103, Monday thru Friday 12:00 p.m. to 5 p.m.

GMC CHAPTER 30.41 PROVIDES FOR TERMINATION

Every right or privilege authorized by an Administrative Exception shall terminate two (2) years after the granting of such, unless the exercise of such right or privilege has commenced in good faith prior to such time, except as otherwise provided for.

CESSATION

An Administrative Exception may be terminated by the review authority upon any interruption or cessation of the use permitted by the Administrative Exception for one year or more in the continuous exercise in good faith of such right and privilege.

EXTENSION

Permits granted by such right or privilege may be requested one time and extended for up to a maximum of one (1) additional year upon receipt of a written request from the applicant and demonstration that a reasonable effort to act on such right and privilege has commenced within the two (2) years of the approval date. In granting such extension the applicable review authority shall make a written finding that neighborhood conditions have not substantially changed since the granting of the administrative exception.

APPEAL FORMS available on-line <http://www.glendaleca.gov/appeals>

TRANSFERABILITY

This authorization runs with the land or the use for which it was intended for and approved. In the event the property is to be sold, leased, rented or occupied by any person or corporation other than yourself, it is incumbent that you advise them regarding the conditions and/or limitations of this grant.

VIOLATIONS OF THESE CONDITIONS

Violations of conditions required by this determination may constitute a misdemeanor or infraction under section 1.20.010 of the Glendale Municipal Code (GMC) and/or a violation of other local, State or Federal laws or regulations. Unless a specific penalty is provided, any person convicted of a misdemeanor shall be punished by a fine not to exceed one thousand dollars (\$1,000.00), or imprisonment for a term not to exceed six (6) months, or by both fine and imprisonment. Infractions are punishable by a fine not exceeding the sum of five hundred dollars (\$500.00) for each violation. Violations of conditions required by this determination may be grounds for a revocation.

REVOCATION

Section 30.64.020 – Revocation – The Community Development Department shall have continuing jurisdiction over variances, conditional use permits and administrative exceptions. To consider the revocation, the Director of Community Development shall hold a public hearing after giving notice by the same procedure as for consideration of a variance at least 10 days' notice by mail to the applicant or permittee.

NOTICE – subsequent contacts with this office

The Applicant is further advised that all subsequent contacts with this office regarding this determination must be with the Case Planner first and then, the Hearing Officer who acted on this case. This would include clarification, verification of condition compliance and plans or building permit applications, etc., and shall be accomplished **By Appointment Only**, in order to assure that you receive service with a minimum amount of waiting. You should advise any consultant representing you of this requirement as well.

Should you have any questions regarding this issue, please do not hesitate to contact the case planner, Bradley Collin during normal business hours at his direct line (818) 548-3210 or office line (818) 548-2115 or bcollin@glendaleca.gov between 7:00 a.m. to 5:00 p.m.

Sincerely,



Laura Stotler
Principal Planner

LS:BC:sm

cc: City Clerk (K. Cruz); City Attorney's Dept. (G. van Muyden); Fire Prevention Engineering Section-(J. Halpert); Dir. Of Public Works (R.Golanian); Traffic & Transportation Section (W. Ko/S. Vartanian); General Manager for Glendale Water and Power (S.Zurn); Glendale Water & Power--Water Section (G. Tom/S. Boghosian); Glendale Water & Power--Electric Section (V. Avedian/B. Ortiz); Parks, Recreation and Community Services Dept. (T. Aleksanian); Neighborhood Services Division (S. Mirzaian); Integrated Waste Management Admin. (D. Hartwell); Maintenance Services Section Admin. (D. Hardgrove); Street and Field Services Admin.; Engineering and Environmental Management (C.Chew/R. Villaluna); and case planner Bradley Collin.